

STATE OF MINNESOTA)
) ss.

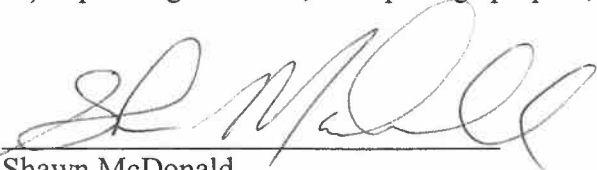
AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 28th day of February, he served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Maximum Tree Services & Landscaping, LLC
106 Ridge Road
New London, MN 56273
Attn: Maxwell George Schultz

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
This 28th day of February 2020


Notary Public





CITY OF SAINT PAUL
Mayor Melvin Carter

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

February 28, 2020

NOTICE OF INTENT TO DENY LICENSES

Maximum Tree Services & Landscaping, LLC - Licensee
106 Ridge Road
New London, MN 56273
Attn: Maxwell George Schultz

RE: Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Additional Vehicle licenses held by Urban Tree Service, LLC d/b/a Urban Tree & Landscape located at 106 Ridge Road New London, MN 56273
License ID #: 20180001101

Dear Licensee:

The Department of Safety and Inspections (“Department”) will recommend denial of the Tree Trimmer & 1 Vehicle and Tree Trimmer–Each Additional Vehicle licenses held by Maximum Tree Services & Landscaping, LLC (“Licensee”) located at 106 Ridge Road New London, MN 56273.

The Department asserts the following facts along with attachments herein constitute proof of a violation of Saint Paul Legislative Code §310.05 (m) (8) by a preponderance of the evidence.

On January 15, 2020, a LETTER and RECEIPT FOR LICENSE APPLICATION were sent by U.S. Mail and electronic mail to angelamaximumtreemn@gmail.com from the Department of Safety and Inspections. The email stated the application for a Tree Trimmer & 1 Vehicle and a Tree Trimmer – Each Additional Vehicle license were pending until you completed the following actions:

- **Obtain inspection approval for two vehicles used in the operation of your business listed below:**

1999 International
2000 International

VIN #1HTSDAAN2YH291033
VIN #1HTSDAAN31H298952

Plate #YBV1323
Plate #YAP0859

You were told to complete this action by February 13, 2020 or adverse action would be taken. As of today, we have not heard from you.

Saint Paul Legislative Code § 310.06 (b) (5) sets forth the basis for adverse action: “The licensee or applicant has failed to comply with any condition set forth in the license or set forth in the resolution granting or renewing the license.”

You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **March 13, 2020**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for approval of the proposed remedy.
2. You can pay the delinquent Tree Trimmer & 1 Vehicle and Tree Trimmer-Each Additional Vehicle license fees. **If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the total amount now due.** You may then send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **March 13, 2020**. A self-addressed envelope is enclosed for your convenience.

You also need to contact DSI Inspector Akbar Muhammad at (651) 266-9139 or via email at akbar.muhammad@ci.stpaul.mn.us to obtain inspection approval of the two vehicles listed above no later than **March 13, 2020**. Payment of the delinquent Tree Trimmer & 1 Vehicle and Tree Trimmer-Each Additional Vehicle license fees and obtaining inspection approval for the two vehicles will be considered a waiver of the hearing to which you are entitled.

3. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send a letter with a statement admitting the facts and requesting a public hearing no later than **March 13, 2020**. The matter will then be scheduled before the City Council to determine whether to deny the Tree Trimmer & 1 Vehicle and Tree Trimmer-Each Additional Vehicle licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the enclosed REQUEST TO WITHDRAW/REQUEST FOR REFUND form to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **March 13 2020**.

If you have not contacted me by March 13, 2020, I will assume that you do not contest the denial of the Tree Trimmer & 1 Vehicle and Tree Trimmer-Each Additional Vehicle licenses. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact Shawn McDonald my Legal Assistant at (651) 266-8729.

Sincerely,



Therese Skarda
Assistant City Attorney
License No.: 0240989

Attachments Copy of emails to Angela Leindecker from Laura Benton on July 17, 2019, October 9, 2019, October 15, 2019
Copy of Receipt for License Application
REQUEST TO WITHDRAW/REQUEST FOR REFUND
Saint Paul Legislative Code § 310.05 (m) & § 310.06 (b) (5)



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9040
Web: www.stpaul.gov/dsi

January 15, 2020

Maximum Tree Services & Landscaping LLC
Attn: Maxwell Schultz
106 Ridge Road
New London MN 56273

RE: Maximum Tree Services & Landscaping LLC Renewal of Tree Trimmer License & Vehicle (2 total) ID #
20180001101

Dear Licensee:

The Department of Safety and Inspections (DSI) has been unable to complete the renewal of your above referenced City license because you failed to provide all required information to maintain your license in an active status. So that the Department of Safety and Inspections (DSI) may continue processing the renewal of this expired license, **you must complete the following actions by 02/13/2020**:

- Obtain inspection approval of the vehicle(s) used in the operation of your business. You may contact DSI Inspector Akbar Muhammad at 651-266-9139 or via email at akbar.muhammad@ci.stpaul.mn.us to arrange for this approval.

NOTE: New vehicle(s) require a visual inspection conducted by a DSI Inspector with the initial licensing of the vehicle(s). A current MN DOT inspection report may be submitted with future renewals of a previously DSI inspected & licensed vehicle (unless changes have been made to the vehicle or is otherwise required by DSI).

You should be advised that, at this time your licenses have expired. If you are operating within the limits of the City of Saint Paul, you are doing so with the required City license and may be subject to adverse action.

If you are no longer working in the City of St Paul, you may submit a written request to withdraw your application to the attention of Eric Hudak, DSI Licensing Division Manager, to the address stated at the top of this letter.

If you have not completed the above referenced actions by 02/13/2020 this matter will be referred to the City Attorney for adverse action, which may result in the revocation of your license. Failure to take appropriate action in this matter may affect your ability to obtain a license in the future.

Sincerely,

Jeffrey Fischbach,
DSI Inspector

c. Akbar Muhammad, DSI Inspector

Benton, Laura (CI-StPaul)

Maximum

From: Benton, Laura (CI-StPaul)
Sent: Tuesday, October 15, 2019 3:07 PM
To: Angela Leindecker
Subject: RE: Tree Trimmer License

Tree

Angela,

The two vehicles we have on file for you are as follows:

1999 International, VIN #1HTSDAAN2YH291033, State Plate #YBV1323

2000 International, VIN #1HTSDAAN31H298952, State Plate #YAP0859

The DOT forms below are for different vehicles. If you have replaced the above stated vehicles, the replacement vehicles will require a DSI Inspection.

Laura



Laura Benton

License Clerk

Department of Safety & Inspections

375 Jackson St, Suite 220

Saint Paul, MN 55101

Phone: 651-266-9102

Fax: 651-266-9124



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Making Saint Paul the Most Livable City in America

"DSI's Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all."

From: Angela Leindecker <angelamaximumtreemn@gmail.com>

Sent: Wednesday, October 09, 2019 2:16 PM

To: Benton, Laura (CI-StPaul) <laura.benton@ci.stpaul.mn.us>

Subject: Re: Tree Trimmer License

Think Before You Click: This email originated outside our organization.

Benton, Laura (CI-StPaul)

From: Benton, Laura (CI-StPaul)
Sent: Wednesday, October 9, 2019 9:27 AM
To: 'angelamaximumtreemn@gmail.com'
Subject: Tree Trimmer License

October 9, 2019

SECOND REQUEST

Maximum Tree Services & Landscaping LLC
106 Ridge Road
New London, MN 56273

License #20180001101

Dear License Holder,

Payment to renew your Tree Trimmer License with 2 vehicles has been received.

However, the license will not be renewed until the following renewal requirement has been received:

- Copy of the current DOT Inspection forms for the 2 vehicles you license in Saint Paul

Please submit the required documents as soon as possible so your license and stickers may be issued. The forms can be faxed to 651-266-9124, e-mailed to laura.benton@ci.stpaul.mn.us, or mailed to our office. Thank you for your prompt attention to this matter.



Laura Benton

License Clerk

Department of Safety & Inspections

375 Jackson St, Suite 220

Saint Paul, MN 55101

Phone: 651-266-9102

Fax: 651-266-9124

laura.benton@ci.stpaul.mn.us

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Benton, Laura (CI-StPaul)

From: Benton, Laura (CI-StPaul)
Sent: Wednesday, July 17, 2019 11:42 AM
To: 'angelamaximumtreemn@gmail.com'
Subject: Tree Trimmer License

July 17, 2019

Maximum Tree Services & Landscaping LLC
106 Ridge Road
New London, MN 56273

License #20180001101

Dear License Holder,

Payment to renew your Tree Trimmer License with 2 vehicles has been received.

However, the license will not be renewed until the following renewal requirement has been received:

- Copy of the current DOT inspection forms for the 2 vehicles you license in Saint Paul

Please submit the required documents as soon as possible so your license and stickers may be issued. The forms can be faxed to 651-266-9124, e-mailed to laura.benton@ci.stpaul.mn.us, or mailed to our office. Thank you for your prompt attention to this matter.



Laura Benton
License Clerk

Department of Safety & Inspections
375 Jackson St, Suite 220
Saint Paul, MN 55101
Phone: 651-266-9102
Fax: 651-266-9124
laura.benton@ci.stpaul.mn.us

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RECEIPT FOR LICENSE APPLICATION

CITY OF SAINT PAUL

Department of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Phone: 651-266-8989 Fax: 651-266-9124
www.stpaul.gov/dsi

Date Receipt Printed: Feb 14, 2020

License ID: 20180001101

Received From:

MAXIMUM TREE SERVICES & LANDSCAPING LLC
106 RIDGE ROAD
NEW LONDON MN 56273

Total Due on this application \$263.00
Other Fees Owed \$0.00
Account Total Amount Due \$263.00
Amount Paid \$263.00
Outstanding Account Balance Due \$0.00

In application for:

Table with 6 columns: Application Date, License Status, License Fee, Amount Paid, Balance on This License. Rows include Tree Trimmer- Each Add'l Vehicle (1) and Tree Trimmer & 1 Vehicle (1).

Conditions:

There are no conditions placed on this license at this time.

Project Facilitator:

LAWRENCE (LARRY) Z. (651) 266-9083

Inspector(s):

Unmet Requirements:

Vehicle Inspection

Submit current vehicle info

This is not a License to operate

NOTICE - The license(s) you have applied for may require you to pay an additional Environmental Health Change of Ownership fee or Environmental Health Plan Review/Remodeling fee. If any of these fees are required, a separate invoice for the amount due will be sent to you.

